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120. The method of claim 114, wherein said polypeptide has a molecular weight of between about 28 and about 30 kDa.--

REMARKS

Claims 21, 23-37 are pending in this case. Applicants herewith cancel, without prejudice or disclaimer, claims 21 and 23-37 and add new claims 38-120. Thus, with the entry of this amendment, claims 38-120 will be active in this case.

Support for the recitations relating to preferential mitogenic activity, e.g. claims 38-42, can be found in original Table I-2 and in original Figure I-4. No new matter has been added with the new claims.

I. Request for Interview

Applicants herewith formally request an interview in order to discuss each of the new claims and the support for the same.

II. Amendments to the Specification

The examiner has not entered the amendments to the specification set forth in applicants' paper No. 7, filed December 10, 1996 and has requested applicants to file a Second Substitute Specification containing the proposed amendments. In response, applicants are in the process of preparing a Second Substitute Specification and a marked up copy showing all additions and deletions. Applicants will submit this Second Substitute Specification in the near future and at that time will attest that no new matter is added to the Second Substitute Specification.

III. Rejections under 35 USC §112

The Examiner has rejected claims 21, 23, 25-28 and dependent claims 24, 29 and 30-37 under 35 USC §112, first paragraph. First, the Examiner does not believe that the specification

enables a method of "treating a condition." Rather, the examiner states that "The specification provides a protein, keratinocyte growth factor (KGF), **which stimulates epithelial cells specifically** (i.e. does not stimulate fibroblast cells)." (page 4, paragraph 2, lines 2-3) In response, applicants have canceled claims reciting methods of treatment and substituted therefor claims directed to a method of stimulating epithelial cells. Accordingly, the Examiner's rejection has been rendered moot.

The Examiner also stated that "the specification does not provide support for any portion of a KGF polypeptide, having preferential mitogenic activity on cells of epithelial origin." (page 5, third paragraph, lines 4-5). In response, applicants point out that the new claims further clarify the meaning of preferential mitogenic activity and also more specifically define what segment of the KGF molecule confers preferential mitogenic activity.

The Examiner's rejection of former claim 31 and 32 is rendered moot in view of the cancellation of claims 31 and 32.

CONCLUSION

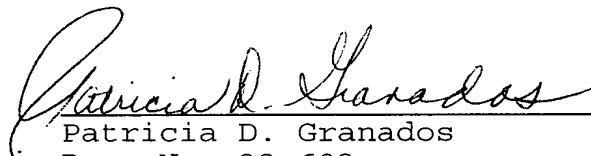
It is believe that the above new claims overcome all previous objections. Applicants look forward to having an interview with Examiner Saoud and respectfully request her to contact the undersigned for purposes of discussing this case at her earliest convenience.

Serial No. 08/455,975

A check in the amount of the fees for the extension of time, submission under 1.129 and claim fees is attached. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0741. If one or more (additional) extension(s) of time is/are required for the filing of this paper, such extension(s) is/are hereby expressly petitioned for and the Commissioner is authorized to charge the required fee to Deposit Account No. 19-0741.

Respectfully submitted,

May 8, 1998
Date


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The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0741